

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TREASURE ISLAND, LLC,

Plaintiff,

v.

AFFILIATED FM INSURANCE COMPANY,

Defendant.

CASE NO. 2:20-CV-00965

**STIPULATION PURSUANT TO RULING
AT FEBRUARY 25, 2021 HEARING ON
MOTIONS**

Plaintiff and Defendant submit this Stipulation following the hearing of discovery motions on February 25, 2021 (ECFs Nos. 40, 44, 58, 73, 77). At the hearing, and after submissions by counsel, the Court granted an extension of discovery in principal and ordered the parties to meet and confer and present a stipulation regarding agreed dates.

I. Depositions:

The parties have met and conferred and have agreed to take the following depositions on the dates indicated:

- Deposition of TI's General Counsel, Brad Anthony on March 31, 2021;
- Deposition of TI's expert Brian Twellman on April 2, 2021;
- Deposition of TI's expert Angela Rassmussen on April 13, 2021; and
- Deposition of TI's expert Alex LeBeau on April 14, 2021.

II. AFM's Compliance with Magistrate Judge Youchah's Order:

AFM is in the process of complying with Magistrate Judge Youchah's ruling at the February 25, 2021 hearing regarding TI's First Motion to Compel (ECF No. 40) to: (a) produce

1 a privilege log identifying documents relating to the creation of the Talking Points; (b) provide a
 2 table of contents of AFM's claim manual and the information in the hyperlinks in the portions
 3 already produced; and (c) provide a list of Nevada hotel casinos who have submitted COVID-19
 4 claims to AFM that have been denied. AFM expects to complete the forgoing on April 15, 2021.

5 **III. AFM's Third Motion to Compel:**

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 7 TI filed a Third Motion to Compel on March 22, 2021 (ECF No. 88). The deadlines for
 8 AFM's Opposition is April 5; and, TI's Reply is April 12. The parties respectfully request a
 9 hearing on this Motion to Compel on or as soon after April 15, 2021, as the Court's schedule
 10 may allow.

11 **IV. Additional Depositions:**

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 13 Depositions of TI's claims handling expert Timothy Yessman and AFM's counter-expert
 14 Peter Evans will be scheduled on agreed upon dates after AFM has complied with the Court's
 15 order regarding TI's First Motion to Compel (see paragraph II above), and after a ruling on TI's
 16 Third Motion to Compel (see paragraph III above) and the production of any further information,
 17 documents and/or testimony as may be ordered by the Court.

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 19 TI believes it may seek additional depositions of further specific AFM personnel
 20 depending upon AFM's production (Paragraph II above) and a ruling on its Third Motion to
 21 Compel (Paragraph III above). The parties agree to meet and confer regarding any request for
 22 such depositions and if they cannot agree to approach the Court regarding the same.

23 **V. Dispositive Motion Deadline:**

24 The parties agree to a tentative dispositive motion deadline of June 16, 2021.

25 If the depositions of Yessman, Evans, and any additional depositions agreed to or ordered
 26 under Paragraph IV above are not completed on/before May 14, 2021, the parties agree to extend
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1 the dispositive motion deadline until 30 days after the last deposition is completed, unless the
2 parties mutually agree otherwise.

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4 Date: April 8th, 2021

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IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: April 8, 2021